Confidentiality and Conflicts of Interest: Guidelines for Search Committee Members

1. PURPOSE

1.1 To provide guidance respecting confidentiality provisions for Search committee members.

1.2 To provide direction respecting Conflicts of Interest for Search committee members and to ensure the Search process is fair, equitable and consistent for all applicants. “Search” means the search process, from beginning to end, to hire for a position within the RFHS or one of its Colleges or Programs, which search process requires a Search committee advisory to a Dean or Director.

1.3 To have a consistent approach across the Rady Faculty of Health Sciences (“RFHS”) respecting confidentiality and Conflicts of Interest in Search processes.

1.4 To provide a complementary process to existing University of Manitoba policies and procedures.

2. GUIDELINES

Confidentiality

2.1 All matters within a Search and all Search committee meetings are confidential. Members should be reminded at the start of each meeting that discussions and materials shall only be retained within the confines of the meetings.

2.2 The Freedom of Information and Protection of Privacy Act (Manitoba) (“FIPPA”) provides that all application materials, including letters of reference will be held in strict confidence. As the end of Search deliberations, members will be required to return all Search materials and they shall be shredded. The Chair is required to keep the original documents for one year after the Board of Governors’ approval and shredded thereafter.

2.3 Following selection of a top-ranked candidate, Search committee members shall maintain strict confidentiality of the decision until the appointment is ratified by the Board of Governors or the announcement is formally made.

2.4 A confidentiality declaration should be completed and signed by each Search committee member, at the start of the Search process. A confidentiality declaration template can be obtained from RFHS Human Resources.
Nepotism
2.5 **University of Manitoba Nepotism Policy**

All University employees are subject to the University of Manitoba Nepotism Policy. It must be applied in circumstances whereby a University employee may be involved in the hiring and supervision of that employee's immediate family member.

Conflicts of Interest
2.6 **University of Manitoba Conflict of Interest Policy**

All Faculty, Staff and Students are subject to the University of Manitoba Conflict of Interest Policy. “Conflict of Interest”, as defined by the policy, means a situation in which the private interests (financial interests or personal interests) of a person or related party compromise or have the appearance of compromising the person’s independence and objectivity of judgement in the performance of his or her obligations to the University, including teaching, research and service activities. Conflicts of Interest can be potential, actual or perceived. In section 2.3, the policy provides examples of Conflicts of Interest.

2.7 **Conflicts of Interest for Search Committee Members**

In addition to the conflicts of interest as described in section 2.6, below are examples of other possible conflicts of interest respecting Search committee members (without limitation):

(a) Having a personal relationship with an applicant (e.g. spouse/partner; parent; child; sibling; grandparent; aunt; uncle or other person living in the same household);
(b) Having recently (within the last five years) been a co-author or co-editor with the applicant on major projects;
(c) Recently (within the last five years) serving as a Co-Principal Investigator on an applicant’s grant;
(d) Owning, having shares in, or otherwise participating in, a business or financial venture with the applicant;
(e) Having served as an applicant’s thesis advisor;
(f) Providing a reference for an applicant for this Search.

Because some fields of expertise are relatively small, there may be associations through published works, involvement in conferences and professional organizations, as well as knowledge of junior applicants through associations with advisors and graduate programs. As well, there may be associations through team teaching, co-leading workshops, presenting on panels, or appearing in the same issues of journals or same edited volumes. These types of relationship do not necessarily constitute a Conflict of Interest; however, disclosure should be made for assessment.

2.8 **Process for Disclosure**

In accordance with the University of Manitoba policy and procedure and as outlined in section 2.7, upon recognition of a Conflict of Interest, whether real, perceived or potential, Search members shall disclose the Conflict of Interest respecting their participation in the Search process. This disclosure shall be to the Search committee Chair (the “Initial Reviewer”). If the Conflict of Interest involves the Chair, the Chair shall disclose to the Dean of the College or where not related to a specific College, to the Dean & Vice-Provost (Health Sciences), RFHS.
2.9 The disclosure shall be documented in some manner. The disclosure may be in the form of the University of Manitoba Conflict of Interest Disclosure Form, although use of the form is not mandatory.

2.10 The Initial Reviewer will assess the disclosure, in consultation with the Search committee member. The Initial Reviewer will recommend either:
(a) No action is required to address the Conflict of Interest; or
(b) Recommend some action be taken, including without limitation:
   a. Withdrawal from the Search committee for all stages of its work;
   b. Framing of their review comments in terms of the Conflict of Interest. This may include implementation of bias interrupter strategies (for example, reminding the Search Committee of their relationship with the applicant before providing their comments; providing their review comments last; etc.).

2.11 The Initial Reviewer shall submit its recommendations to the Dean of the College, or where no specific College is involved, to the Dean & Vice-Provost (Health Sciences), RFHS (the “Second Reviewer”). The Second Reviewer shall consider the Initial Reviewer’s recommendation and determine how the Conflict of Interest shall be managed. The Second Reviewer will provide his/her determination to the Initial Reviewer, who shall advise the Search committee member, in writing.

3. **REFERENCES**

3.1 Confidentiality Declaration for Search Committee Members (please contact RFHS Human Resources for the most recent template)


3.3 [University of Manitoba Conflict of Interest Policy](#)

3.4 [University of Manitoba Conflict of Interest Procedure](#)

3.5 [University of Manitoba Conflict of Interest Disclosure Form](#)

3.6 [University of Manitoba Nepotism Policy](#)

4. **CONTACT**

Please contact the Human Resources Officer, RFHS, with questions regarding this document.

5. **APPROVAL**

These guidelines were approved by the RFHS Dean’s Council on January 7, 2020.

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